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OFFICE OF THE GOVERNOR
GUAM

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)

Federal-State Joint Board on)
Universal Service)

Continued Use of 880/881 Toll)
Free Access by Pacific Island)
Territories)

CC Docket No. 96-45

APD NO. 98-2

**REQUEST FOR EXTENSION
OF
PERMISSIVE DIALING PERIOD**

The Governor of Guam ("Governor") hereby requests that the Federal Communications Commission ("FCC" or "Commission") extend the "permissive dialing period" for use of 880 and 881 numbers for access to toll-free 800/888 services by end users in Guam. Such an extension, for an indefinite period, would serve the public interest by allowing end users continued access to the broadest range of toll-free numbers.

BACKGROUND

Guam is a United States territory located in the Pacific Ocean some 6000 miles from the continental United States. Historically, Guam was treated as an international point for purposes of telecommunications regulation. However, the

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Telecommunications Act of 1996, and Commission policies and rules issued pursuant to that Act, have allowed for welcome market changes. Most particularly, citizens of the Pacific Island territories are now beneficiaries of rate integration and of inclusion within the North American Numbering Plan ("NANP"). The Governor is mindful of the thoughtful effort of the Commission in addressing the myriad of issues unique to insular areas such as Guam.

In particular, the Commission in the *Universal Service Order* took note of a particular problem faced by the citizens of Guam.¹ Because some US telecommunications providers of toll-free service do not have a point of presence on Guam, not all toll-free access customers can purchase toll-free access service that includes Guam.² Instead, Interexchange Carriers that do provide service on Guam offer caller paid access to non accessible 800/888 numbers. Under this arrangement the calling party calls an 880/881 number and pays a charge that covers the cost of that portion of the call from Guam to Hawaii or the mainland, where the call is completed by linking it to a domestic toll-free access location with service by the carrier not serving Guam.

Prior to Guam being included in the NANP, Guam subscribers utilized the 880/881 prefix to access 800/888 telephone numbers on

¹ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd. 8776 (1997) (*Universal Service Order*).

² LCI and Frontier, for example, do not have a point of presence on Guam.

a prepaid basis. The continued availability of 880/881 service was in jeopardy upon Guam's entry into the NANP because the Industry Numbering Committee had determined that this service be used only from foreign locations within the North American Numbering Plan.³ Concerned that toll-free access would not be a viable service without the ability to call 880/881, the Governor requested that the Commission consider whether universal service support would be appropriate. However, the Commission, relying upon its regulatory powers over numbering pursuant to Section 251(e) of the Act, superseded the INC and permitted the continued use of 880/881 numbers to place prepaid calls to 800/888 telephone numbers for a "permissive dialing period" of one year, or until July 1, 1998. By that time, the Commission reasoned, new rate structures required by rate integration would be in place. The Commission anticipated that at the end of that one year period, "businesses subscribing to toll-free access services will have made a business decision as to whether to include the Pacific Island territories in their toll-free access service plans".⁴

The one year period is almost over and the Governor now asks for an indefinite extension of the continued use of the 880/881 numbers to reach toll-free access numbers.

³ See Industry Numbering Committee, Issue #34: Allocation Request for 880 NPA Code, November 3, 1995. See also, Bellcore Letter Number IL-96/03-001 ("The 880 and 881 NPAs shall not be used for calls that originate and terminate in the same NANP country, i.e., they are not to be used domestically.")

⁴ Universal Service Order at 9001.

DISCUSSION

The Governor is pleased to report that the majority of 800/888 toll-free access calls are being directly routed on a toll free basis, as the Commission anticipated. There remain, however, a number of toll-free access calls that require the use of 880/881 dialing. These calls are typically routed to carriers that have no point of presence on Guam or who have made no arrangement for the transport of calls originating on Guam. In those cases, the end user cannot access the toll-free access customer without some form of paid access, notably the use of 880/881 numbers.

While most of the toll-free access calls are completed without difficulty, the ones that can not be completed, may be very important to the end user involved.⁵ Indeed, the end user is willing to pay to access the toll-free access carrier's nearest point of presence. The Governor believes the Commission should permit the continuation of this practice until arrangements are completed for the origination and transport of calls through carriers that do not maintain a point of presence on Guam.

This extension of the "permissive dialing period" originally granted in the Universal Service Order will serve the public interest because it will allow end users on Guam continued access to the full panoply of 800/888 services. Further, in the year in which this practice has been permitted, there have been no


⁵ Non accessible 800/888 numbers include financial institutions, consumer and technical support services and various associations without publicized non toll free numbers.

complaints of inferior service or other network problems. Although extending the time for use of 880/881 represents an exception to the INC guidelines, the small number of calls makes the exception merely *de minimis*.

For these reasons, the Governor requests that the Commission extend the period of time in which it will allow use of 880/881 numbers to place non accessible 800/888 calls from Guam until carriers without a point of presence on Guam have implemented arrangements to provide traditional toll-free access service.

Prompt action on this request will assure that no end user is deprived of access to toll-free services for even a short period of time.

Respectfully Submitted,

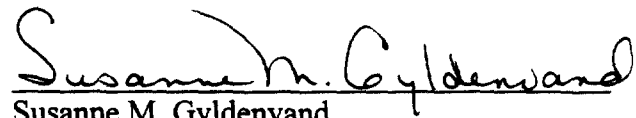


Carl T.C. Gutierrez
Governor of Guam

Dated: June 12, 1998

CERTIFICATE OF SERVICE

I, Susanne M. Gyldenvand, do hereby certify that a copy of the Request of the Office of the Governor of Guam was sent by first class United States mail, postage prepaid, or by hand delivery or facsimile where indicated by an asterisk (*), this 12th day of June, 1998 to the following:


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